



## State of Arizona

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# Governor Brewer Issues Order for Special Session

## *Constitutional Rights of Arizona Citizens to be Defended*

PHOENIX – Governor Jan Brewer today issued a special session call to Arizona lawmakers to pursue a lawsuit against the federal government's takeover of healthcare. State lawmakers will meet beginning Monday to consider legislation that would add the State of Arizona to a growing list of states challenging the constitutionality of the measure.

"Arizonans are increasingly concerned and alarmed about the rapid and dramatic expansion of the federal government into their personal lives," said Governor Brewer. "This massive new federal mandate is a threat to our individual freedoms, and state sovereignty as well as a devastating new cost to our state budget."

For the first time in our nation's history, the new federal law requires all U.S. citizens to purchase a product or incur a penalty, simply on the basis that they exist and reside in the United States. To date, 14 states have filed lawsuits in federal court challenging the constitutionality of the federal healthcare bill. Many other states, like Arizona, are now considering joining these suits or filing separate legal challenges.

Both Republican and Democratic Attorneys General from across the country have already taken steps on behalf of their citizens to protect and defend their constitutional rights.

The Brewer Administration is also currently considering the legislative options available to fulfill the FY 2011 state costs of the new federal entitlements. A fiscal analysis by Arizona's Medicaid program, AHCCCS (Arizona Health Care Cost Containment System), describes that the taxpayers of Arizona will be solely responsible for securing \$11.6 billion to pay for the new federal healthcare entitlement over the next 10 years. What remains unclear, and is pivotal to the consideration of new state legislation, is how to pay for the mandates. If enhanced FMAP (federal medical assistance percentage) dollars are approved by the U.S. House (they have been previously approved by the U.S. Senate), then they will provide over \$400 million to Arizona in FY 2011 – enough funding to cover the roughly \$400 million in new state costs. If these funds are not approved by the U.S. House, then the state budget challenge is incredibly daunting – the State of Arizona would have to find \$400 million just for fiscal year 2011.

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